

AMENDED IN ASSEMBLY APRIL 23, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

## ASSEMBLY BILL

**No. 2124**

---

### Introduced by Assembly Member Beall

February 20, 2008

---

An act to add Article 5.4 (commencing with Section 14180) to Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to Medi-Cal.

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2124, as amended, Beall. Medi-Cal: alcohol and drug screening and brief intervention services.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services.

This bill would ~~create~~ *establish* the Medi-Cal Alcohol and Drug Screening and Brief Intervention Services ~~Matching Fund in the State Treasury Program~~, which would be administered by the ~~department, in collaboration with the State Department of Alcohol and Drug Programs, in collaboration with the State Department of Health Care Services~~, for the purpose of ~~providing matching~~ *allowing* local funds received by the fund through intergovernmental transfers to a county ~~agency~~ *to be used to facilitate increasing the state's ability to utilize federal funds available to California* to provide alcohol and drug screening and brief intervention services to Medi-Cal beneficiaries. *The bill would require a public entity that participates in the program to provide specified evidence and data to the department relating to the certified expenditures, as provided, and would require the department*

to promptly seek any necessary federal approvals for the implementation of the program.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Article 5.4 (commencing with Section 14180) is added to Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, to read:

Article 5.4. Medi-Cal Alcohol and Drug Screening and Brief Intervention Services ~~Matching Fund Program~~

14180. This article shall be known and may be cited as the Medi-Cal Alcohol and Drug Screening and Brief Intervention Services ~~Matching Fund Program~~.

14180.1. For purposes of this article, the following definitions shall apply:

(a) "Department" means the State Department of ~~Alcohol and Drug Programs~~ Health Care Services.

(b) "Fund" means the ~~Medi-Cal Alcohol and Drug Screening and Brief Intervention Services Matching Fund~~.

(c) ~~"Intergovernmental transfer" means a transfer of funds from a public entity to the state that constitutes local government financial participation in Medi-Cal pursuant to the terms of this article.~~

(d) ~~"Public entity" means a county agency.~~

(b) "Public entity" means a county, or other local governmental entity designated by the department, that elects to provide or contract for alcohol and drug screening and brief intervention services for Medi-Cal beneficiaries pursuant to this article.

14180.2. (a) The Medi-Cal Alcohol and Drug Screening and Brief Intervention Services ~~Matching Fund Program~~ is hereby established within the State Treasury. The fund shall consist of ~~intergovernmental transfers as the nonfederal matching fund requirement for federal financial participation, and any interest that accrues with respect to the amounts in the fund.~~

(b) The ~~department, in collaboration with the~~ State Department of Alcohol and Drug Programs, shall ~~administer this fund and this~~

1 ~~article in collaboration with the State Department of Health Care~~  
2 ~~Services for the express purpose of administer the program for~~  
3 ~~the purpose of~~ allowing local funds to be used to facilitate  
4 increasing the state's ability to utilize federal funds available to  
5 California. These federal funds shall be used prior to the expiration  
6 ~~of the departments' authority~~ California for alcohol and drug  
7 screening and brief intervention services for Medi-Cal  
8 beneficiaries.

9 ~~14180.3. An applicant that provides an intergovernmental~~  
10 ~~transfer may submit a certified public expenditure to the~~  
11 ~~department, in accordance with Section 433.51 of Title 42 of the~~  
12 ~~Code of Federal Regulations, for the purpose of providing alcohol~~  
13 ~~and drug screening and brief intervention services to any individual~~  
14 ~~who receives benefits under the Medi-Cal program.~~

15 ~~14180.4. Upon its approval of the certified public expenditure,~~  
16 ~~the department shall submit a claim for reimbursement to the~~  
17 ~~federal Centers for Medicare and Medicaid Services in an amount~~  
18 ~~equal to the amount of the certified public expenditure. Upon~~

19 ~~14180.3. (a) A public entity that participates in the program~~  
20 ~~established pursuant to this article shall do all of the following:~~

21 ~~(1) Certify, in accordance with Section 433.51 of Title 42 of the~~  
22 ~~Code of Federal Regulations, that the claimed expenditures for~~  
23 ~~alcohol and drug screening and brief intervention services for~~  
24 ~~Medi-Cal beneficiaries are eligible for federal financial~~  
25 ~~participation.~~

26 ~~(2) Provide evidence supporting the certification, as specified~~  
27 ~~by the department.~~

28 ~~(3) Submit data, as specified by the department, to determine~~  
29 ~~the appropriate amounts to claim as expenditures qualifying for~~  
30 ~~federal financial participation.~~

31 ~~(4) Keep, maintain, and have readily retrievable, any records~~  
32 ~~specified by the department to fully disclose reimbursement~~  
33 ~~amounts to which the eligible public entity is entitled, and any~~  
34 ~~other records required by the federal Centers for Medicare and~~  
35 ~~Medicaid Services.~~

36 ~~(b) The state share of the reimbursement submitted to the federal~~  
37 ~~Centers for Medicare and Medicaid Services for purposes of~~  
38 ~~claiming federal financial participation shall be comprised of only~~  
39 ~~those funds that are paid by a public entity, as defined in~~

1 subdivision (b) of Section 14180.1, and certified in accordance  
2 with subdivision (a).

3 (c) In administering this article, the department shall do all of  
4 the following:

5 (1) Promptly seek any necessary federal approvals for the  
6 implementation of this article.

7 (2) Submit claims for federal financial participation for the  
8 expenditures for the services described in subdivision (a) that are  
9 allowable expenditures under federal law.

10 (3) Submit, on an annual basis, any necessary materials to the  
11 federal government to provide assurances that claims for federal  
12 financial participation will include only those expenditures that  
13 are allowable under federal law.

14 (d) Upon receipt of the federal reimbursement for the claim, the  
15 department shall provide the reimbursement to the ~~applicant for~~  
16 ~~the purpose of providing the alcohol and drug screening and brief~~  
17 ~~intervention services.~~ public entity for which the claim was  
18 submitted.

19 ~~14180.5.~~

20 14180.4. This article shall be implemented only if, and to the  
21 extent that, federal funds are ~~appropriated~~ available for this  
22 purpose.

23

24

25 CORRECTIONS:

26 Text—Pages 3 and 4.

27